

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:19-cv-00199-MR**

RUSSELL V. SAWYER,)
)
 Plaintiff,)
)
 vs.) O R D E R
)
ANDREW M. SAUL,)
Commissioner of Social Security,)
)
 Defendant.)
)

)

THIS MATTER comes before the Court on counsel's Reply to Show Cause Order [Doc. 5].

On August 12, 2019, the Court entered an Order directing the Plaintiff to show cause why this case should not be dismissed without prejudice due to the Plaintiff's failure to pay the filing fee or file a proper application to proceed without the prepayment of fees. [Doc. 4]. The Court specifically advised the Plaintiff in that Order that the failure to show cause within the time required will result in the dismissal of this action without prejudice. [Id. at 2].

Counsel now responds to the Court's Order, stating that he has been unable to communicate with the Plaintiff despite reasonable efforts to do so. [Doc. 5].

As the Plaintiff has failed to either pay the required filing fee or file a proper application to proceed without the prepayment of fees, the Court will dismiss this action without prejudice.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Show Cause Order [Doc. 4] is **DISCHARGED**.

IT IS FURTHER ORDERED that this action is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Signed: August 28, 2019



Martin Reidinger
United States District Judge

